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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/634,206
Filing Date	August 5, 2003
First Named Inventor	Russell Powers et al.
Art Unit	3738
Examiner Name	Brian E. Pellegrino
Attorney Docket Number	MSDI-196/PC934.00

### ENCLOSURES (Check all that apply)

- |  |  |   |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Return Receipt Postcard |
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	December 10, 2007	Reg. No.	45,431

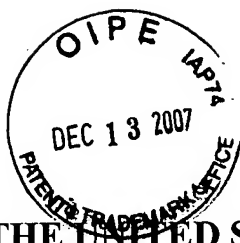
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# **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner
Powers et al.	)	Brian E. Pellegrino
	)	
Serial No. 10/634,206	)	Group Art Unit 3738
	)	
Filed August 5, 2003	)	Ref. No. MSDI-196/ PC934.00
	)	
SURGICAL KIT AND METHOD FOR	)	December 10, 2007
PROVIDING STERILIZED EQUIPMENT	)	
FOR USE IN SPINAL SURGERY	)	

## **RESPONSE TO FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated October 9, 2007, please consider the following amendments and remarks. The two-month early response period for responding to the final Office Action expired on December 9, 2007, which fell on a Sunday, thereby extending the two-month early response period to December 10, 2007 (the first business day after December 9, 2007). Please charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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December 10, 2007

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Brad A. Schepers

Name of Registered Representative

Signature

December 10, 2007

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